## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS **AUSTIN DIVISION**

ORLANDO RUIZ AND OSCAR	§	
DURANT, JR., ON BEHALF OF	§	
THEMSELVES AND ALL OTHERS	§	
SIMILARLY SITUATED,	§	<b>CIVIL ACTION NO. 1:25-CV-427-ADA-ML</b>
	§	
Plaintiffs,	§	
	§	JURY DEMANDED
V.	§	
	§	
ROCKHARD CO, LLC,	§	CLASS AND COLLECTIVE ACTION
ROCKHARD HOLDING, INC., AND	§	
CARLOS R. ROMAN,	§	
INDIVIDUALLY,	§	
	§	
Defendants.	Ū	

## PROPOSED ORDER GRANTING **DEFENDANTS' RENEWED PARTIAL MOTION TO DISMISS**

Before the Court is Defendants' Renewed Partial Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). Having considered the Motion, the record, and the applicable legal authority, the Court finds that the Motion should be granted in all respects. Accordingly, it is:

ORDERED that Defendants' Renewed Partial Motion to Dismiss is GRANTED; and IT IS FURTHER ORDERED that the Plaintiffs' Federal Rule of Civil Procedure 23 claims for breach of contract and unjust enrichment on behalf of the alleged putative "Texas Class" are dismissed with prejudice.

IT IS SO ORDERED.	
SIGNED on this day of	, 2025.
	LINITED STATES DISTRICT HIDGE